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| FORM PTO-1390<br>MODIFIED  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>51-575</b>                                   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |   | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><br><b>10/500,613</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/US02/39890</b>   | INTERNATIONAL FILING DATE<br><b>13 December 2002</b>    | PRIORITY DATE CLAIMED<br><b>14 December 2001</b>                            |
| TITLE OF INVENTION<br><b>USE OF DSRNAS IN STRATEGIC THERAPEUTIC INTERVENTION OF HIGHLY ACTIVE ANTIRETROVIRAL THERAPY</b>   |   |   |
| APPLICANT(S) FOR DO/EO/US<br><b>CARTER et al.</b>  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |
| 1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.<br>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.<br>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.<br>4. <input type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).<br>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).<br>a. <input type="checkbox"/> is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings).<br>b. <input type="checkbox"/> has been communicated by the International Bureau.<br>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<br>6. <input type="checkbox"/> An English language translation<br>a. <input type="checkbox"/> of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation).<br>b. <input type="checkbox"/> of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).<br>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.<br>d. <input type="checkbox"/> have not been made and will not be made.<br>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<br>9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).<br>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).<br>10. See item 6.b. above.<br><b>Items 11 To 20 below concern document(s) or information included:</b><br>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.<br>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.<br>13. <input type="checkbox"/> A FIRST preliminary amendment.<br>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.<br>15. <input type="checkbox"/> A substitute specification.<br>16. <input type="checkbox"/> A change of power of attorney and/or address letter.<br>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.<br>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).<br>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).<br>20. <input type="checkbox"/> Other items or information. |   |   |





UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/500,613                  | William A Carter      | 51-575           |

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| INTERNATIONAL APPLICATION NO. |               |
| PCT/US02/39890                |               |
| LA. FILING DATE               | PRIORITY DATE |
| 12/13/2002                    | 12/14/2001    |

CONFIRMATION NO. 7887  
371 FORMALITIES LETTER  
  
\*OC000000013809816\*

Date Mailed: 09/16/2004

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/14/2004
- Copy of the International Search Report filed on 06/14/2004
- Preliminary Amendments filed on 06/14/2004
- Information Disclosure Statements filed on 06/14/2004
- U.S. Basic National Fees filed on 06/14/2004
- Priority Documents filed on 06/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/500,613                  | PCT/US02/39890                | 51-575           |

FORM PCT/DO/EO/905 (371 Formalities Notice)